

IN THE CLAIMS:

Please amend Claim 5 to read as follows:

Claims 1 to 4 (Cancelled).

5. (Currently Amended) An information recording and/or reading apparatus comprising:

a base plate having a notch therein;

a support plate;

a spindle motor having for rotating a disk by an output shaft perpendicular to said base plate, said output shaft rotatably driving a disk;

a head unit, ~~rotary alignment control device~~ supported on said support plate, and for determining a rotation position of a recording/reading head of the ~~of a~~ head unit about a rotary alignment axis parallel to the output shaft of said spindle motor;

a vertical pivot shaft extending parallel to the rotary alignment axis; and

a pivotal mechanism for pivoting said support plate, on which said head unit ~~rotary alignment control device~~ is supported, about said vertical shaft relative to said base plate, wherein at least a portion of said head unit, or a support portion of said head unit supported on said support plate, passes through the notch of said base plate.

6. (Original) An apparatus according to claim 5, further comprising:
a moving stage which mounts said spindle motor; and
a stage driving mechanism for driving said moving stage toward or away from
the rotary alignment axis.

Claim 7 (Cancelled).